

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Allegations of corruption against Sri T. Sambasiva Rao, former District Panchayat Officer and other officers and Sri D.M. Raju, the then Superintendent O/o the District Panchayat Officer, East Godavari district and staff of Panchayat Department – Prosecution orders issued – Discharged – Criminal appeal filed – Orders of Hon'ble High Court of Andhra Pradesh - The case to be entrusted Crime Investigation Department – Releasing of pension and pensionary benefits to Sri D.M.Raju, the then District Panchayat Officer (Retied) and other retired employees involved in this criminal case subject to condition that the release is with out prejudice to the out come of the Criminal proceedings pending against them-Orders- Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No.1628

Dated:17.10.2013

Read the following:

1. From the DG, ACB. Hyderabad, Letter No.53/RC-REG/92, Dt.26.8.1993.
2. G.O.Ms.No.778, 809, 810, 811, 812 and 815, PR &RD (E.IX) Department, dated: 2.12.1994.
3. Memo No.70575/Est.IX/1993-9, Dated: 31.7.1995.
4. Orders of the III Addl. District Sessions Judge –Cum. Spl. Judge for ACB cases Vishakapatnam in CC No. 38/95 to 84/95.
- 5.From the DG, ACB, Hyderabad,C.No.10/RPC(C)/2002, dated:15.3.2002.
- 6.From the DG,ACB, Hyderabad,RC.No.53/RCO-REG/1992,Dt: 26.11.2010.
- 7.Memo.No.3542/Vig.IV/A1/2004,PR&RD(Vig.IV)Department,Dt:7.5.2011.
- 8.From the District Collector, East Godavari district,Ref.No. A5/4009/2012, Dated: 18.10.2012.

ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, Hyderabad conducted detailed enquiry on the allegations of corruption and irregularities against Sri Y. Hanumantha Rao and other 115 of Panchayat Raj Department including Sarpanches, Junior Assts- Cum-Bill Collectors, Executive Officers (Panchayts) Divisional Panchayat Offices and District Panchayat Officers and office staff of District Panchayat Office in East Godavari district, during the year 1987-91 based on the petition received from Sri P. Subhash Chandra Bose, former Member of Legislative Assembly, Ramachandrapuram, East Godavari district. The Director General, Anti Corruption Bureau, Hyderabad has recommended to prosecute the Accused Officers involved in this case for filing of criminal cases against them. Accordingly, orders have been issued in the references 2nd & 3rd read above.

2. In the reference 4th read above, the III Addl. District Sessions Judge – Cum. Spl. Judge for Anti Corruption Bureau Cases, Vishakapatnam in CC No. 38/95 to 84/95 has passed orders on 25.1.2001 with a directions to Investigation Officer to return all the charge sheets from the Court to enable to file before the competent court of Judicial Magistrate of First Class having jurisdiction in East Godavari district to try the offences punishable under the Provisions of the Indian Penal Code. Accordingly, the Director General, Anti Corruption Bureau, Hyderabad has filed Criminal Revision Petitions and requested the Standing Council for Anti Corruption Bureau cases, High Court of Andhra Pradesh, Hyderabad to move the High Court by bringing the Judgment of the Supreme Court to notice for immediate disposal of the batch of the cases in the reference 5th read above.

3. In the reference 6th read above, the Director General, Anti Corruption Bureau, Hyderabad, while enclosing the orders of the Hon'ble High Court of Andhra Pradesh in Criminal Revision Case No. 597, 818 to 863 of 2001 has requested to direct the concerned Civil Police to investigate and prosecute the surviving accused officers involved in this case.

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4. After examining the request of the Director General, Anti Corruption Bureau, Hyderabad, the Commissioner, Panchayat Raj & Rural Employment, Hyderabad / the District Collector, (Panchayats), East Godavari district have been requested to direct the concerned Civil Police to investigate and prosecute the surviving accused officers involved in this case in the reference 7th read above.

5. In the reference 8th read above, the District Collector (Panchayats), East Godavari district has stated that the Superintendent of Police, East Godavari district has advised to refer the matter to Crime Investigation Department (CID), Hyderabad to investigate and prosecute the surviving accused officers. Accordingly, Government have provisionally decided to entrust the case to Crime Investigation Department for investigation in the matter.

6. Now, therefore, Government have decided to release pension and terminal benefits to Sri DM. Raju, District Panchayat Officer (Retired) and other retired surviving employees involved in this criminal case, subject to condition that the release is without prejudice to the outcome of the criminal proceedings pending and the event of them being found guilty in the proceedings the recovery shall be made from their pension, after conclusion of the proceedings against them.

7. Accordingly, Government here by order to release pension and terminal benefits to Sri D.M. Raju, District Panchayat Officer (Retired) and other retired surviving employees involved in this criminal case, subject to condition that the release is without prejudice to the outcome of the criminal proceedings pending and the event of them being found guilty in the proceedings the recovery shall be made from their pension, after conclusion of the proceedings against them.

8. The Commissioner, Panchayat Raj & Rural Employment, Hyderabad is therefore further directed to check before sanctioning the pension and pensionary benefit to the Officers and staff who are involved in this criminal case, subject to condition as mentioned at para (07) above and if any other punishments were already imposed against the persons, that punishment shall be deducted from their pension and Pensionary benefits.

9. This order is issued with the concurrence of the Finance (Pen.I) Department Vide U.O.No. 21835/294/A1/Pen.I/2013, Dated: 3.9.2013.

10. The Commissioner, Panchayat Raj & Rural Employment, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

The Individuals through the Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad

The District Collector, East Godavari district.

The Chief Executive Officer, East Godavari district .

The District Panchayat Officer, East Godavari district.

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad

The Secretary, Andhra Pradesh Vigilance Commission , Hyderabad

//FORWARDED:: BY ORDER//

SECTION OFFICER

